

AMENDED IN ASSEMBLY APRIL 14, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 2543

Introduced by Assembly Member Torlakson

February 20, 1998

~~An act relating to land use.~~ *An act to add Chapter 8 (commencing with Section 22000) to Division 21 of the Elections Code, to amend Section 60602 of the Government Code, to amend Sections 11823, 15963, and 24823 of, and to repeal Section 15964 of, the Public Utilities Code, to amend Sections 30733, 35056, and 74430 of, to repeal Sections 71541 and 71542 of, and to repeal and add Sections 21065, 60132, and 71540 of, the Water Code, to amend Section 15 of the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), to amend Section 70 of the Protection District Act of 1907 (Chapter 25 of the Statutes of 1907), to amend Section 1.2 of the Orange County Water District Act (Chapter 934 of the Statutes of 1933), to amend Section 7 of the Yuba County Water Agency Act (Chapter 788 of the Statutes of 1959), to amend Section 93 of the Antelope Valley-East Kern Water Agency Act (Chapter 2146 of the Statutes of 1959), to amend Section 3.2 of the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), to amend Section 4 of the San Geronio Pass Water Agency Law (Chapter 1435 of the Statutes of 1961), to amend Section 42 of the Crestline-Lake Arrowhead Water Agency Act (Chapter 40 of the 1962 First Extraordinary Session), to amend Section 222 of the Monterey Peninsula Water Management District Act (Chapter 527 of*

the Statutes of 1977), to amend Section 220 of the Stanislaus County Flood Control Enabling Act (Chapter 421 of the Statutes of 1981), to amend Section 406 of the Pajaro Valley Water Management Agency Act (Chapter 257 of the Statutes of 1984), to add Section 223 to the Stanislaus County Flood Control Enabling Act (Chapter 421 of the Statutes of 1981), and to repeal Sections 1.4 and 1.6 of the Orange County Water District Act (Chapter 934 of the Statutes of 1933), relating to special districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2543, as amended, Torlakson. ~~Land use: tentative subdivision maps~~ *Special districts.*

Under existing law, the boundaries of divisions of various special districts are specified in the statutes creating them.

This bill would provide that each district required by its authorizing act to adjust division boundaries pursuant to this bill, after each federal decennial census, and using that census as a basis, shall, by resolution, adjust the boundaries of any divisions so that the divisions are, as far as practicable, equal in population. The bill would specify other conditions of the adjustments. This bill would revise laws relating to specific districts and specific types of districts to conform to this bill. The bill would impose a state-mandated local program by imposing additional duties on districts with respect to adjusting boundaries.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would make identical changes to the Elections Code alternative to those proposed by this bill that would become operative only if this bill and Senate Bill 1547 are both chaptered, in which case a specified provision of this bill would not become operative.

~~Under the Subdivision Map Act, the expiration date of an approved or conditionally approved tentative subdivision~~

~~map may be extended by operation of law, the legislative body, an authorized advisory agency, as specified, or the imposition of a development moratorium.~~

~~This bill would declare that it is necessary that the Legislature consider extending the expiration date of existing tentative subdivision maps in order to permit cities and counties to preserve development applications that are about to expire and that cannot be processed due to prevailing adverse economic conditions in the construction industry.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. The Legislature hereby finds and~~
2 *SECTION 1. Chapter 8 (commencing with Section*
3 *22000) is added to Division 21 of the Elections Code, to*
4 *read:*

5
6 *CHAPTER 8. SPECIAL DISTRICTS*
7

8 *22000. (a) Each district required by its authorizing*
9 *act to adjust division boundaries pursuant to this section*
10 *shall, by resolution, after each federal decennial census,*
11 *and using that census as a basis, adjust the boundaries of*
12 *any divisions so that the divisions are, as far as practicable,*
13 *equal in population and in compliance with Section 1973*
14 *of Title 42 of the United States Code, as amended, to the*
15 *extent those provisions are applicable. In adjusting the*
16 *boundaries of the district, the board may give*
17 *consideration to the following factors: (1) topography,*
18 *(2) geography, (3) cohesiveness, contiguity, integrity,*
19 *and compactness of territory, and (4) community of*
20 *interests of the district. This section does not apply to*
21 *districts in which only landowners vote for directors or*
22 *whose directors are all elected at large or appointed.*

23 *(b) The resolution specified in subdivision (a) shall be*
24 *adopted by a vote of not less than a majority of the*
25 *directors.*

1 (c) At the time of, or after, any annexation of territory
2 to the district, the board of directors shall designate, by
3 resolution, the division of which the annexed territory
4 shall be a part.

5 (d) No change in division boundaries may be made
6 within 180 days preceding the election of any director.

7 (e) (1) A change in division boundaries shall not
8 affect the term of office of any director.

9 (2) If division boundaries are adjusted, the director of
10 the division whose boundaries have been adjusted shall
11 continue to be the director of the division bearing the
12 number of his or her division as formerly comprised until
13 the office becomes vacant by means of term expiration or
14 otherwise, whether or not the director is a resident within
15 the boundaries of the division as adjusted.

16 (f) The successor to the office in a division whose
17 boundaries have been adjusted shall be a resident and
18 voter of that division.

19 (g) A district that adjusted the boundaries of any
20 divisions after the 1990 federal decennial census is not
21 required to adjust the boundaries of any divisions
22 pursuant to this section until after the 2000 federal
23 decennial census.

24 (h) Nothing in this section shall be construed to
25 prohibit or restrict a district from adjusting the
26 boundaries of any divisions whenever the governing body
27 of the district determines by a two-thirds vote of the
28 governing body that a sufficient change in population has
29 occurred that makes it desirable in the opinion of the
30 governing body to adjust the boundaries of any divisions,
31 or whenever any territory is added by or excluded from
32 the district.

33 SEC. 2. Section 60602 of the Government Code is
34 amended to read:

35 60602. Each district shall be divided into five, seven,
36 or nine areas. One member of the board shall be elected
37 pursuant to this chapter from each area. The boundaries
38 of all areas shall be adjusted pursuant to Chapter 8
39 (commencing with Section 22000) of Division 21 of the
40 Elections Code.

1 *SEC. 3. Section 11823 of the Public Utilities Code is*
2 *amended to read:*

3 11823. The board shall by resolution or ordinance fix
4 the boundaries of the wards for the purpose of electing
5 directors therefrom. ~~Such wards shall be established in~~
6 ~~ample time prior to each biennial general election to~~
7 ~~permit candidates for the position of directors to circulate~~
8 ~~nominating papers.~~ *The board of directors shall, by*
9 *resolution, adjust the boundaries of any wards pursuant*
10 *to Chapter 8 (commencing with Section 22000) of*
11 *Division 21 of the Elections Code.*

12 *SEC. 4. Section 15963 of the Public Utilities Code is*
13 *amended to read:*

14 15963. The board of directors shall determine ~~from~~
15 ~~time to time, in their discretion, the number of~~
16 ~~inhabitants of each unit of unincorporated territory~~
17 ~~within the district and declare it by ordinance, such~~
18 ~~determination to continue in force until another~~
19 ~~determination is made~~ *the boundaries of each unit of*
20 *unincorporated territory within the district pursuant to*
21 *Chapter 8 (commencing with Section 22000) of Division*
22 *21 of the Elections Code.*

23 *SEC. 5. Section 15964 of the Public Utilities Code is*
24 *repealed.*

25 ~~15964. All determinations shall be based upon the last~~
26 ~~preceding census taken by the United States, or upon the~~
27 ~~last preceding census of the county in which the unit is~~
28 ~~situated if the board of supervisors has taken or caused to~~
29 ~~be taken a census of the county since the last preceding~~
30 ~~census of the United States.~~

31 *SEC. 6. Section 24823 of the Public Utilities Code is*
32 *amended to read:*

33 24823. The board shall by resolution or ordinance fix
34 the boundaries of the wards for the purpose of electing
35 directors therefrom. ~~Such wards shall be established in~~
36 ~~ample time prior to each biennial general election to~~
37 ~~permit candidates for the position of directors to circulate~~
38 ~~nominating papers.~~ *The board shall adjust the boundaries*
39 *of the wards for the purpose of electing directors*

1 *therefrom pursuant to Chapter 8 (commencing with*
2 *Section 22000) of Division 21 of the Elections Code.*

3 *SEC. 7. Section 21605 of the Water Code is repealed.*

4 ~~21605. When it deems it advisable for the best~~
5 ~~interests of the district and the convenience of its voters,~~
6 ~~the board may, not less than 120 days before a general~~
7 ~~district election, change the boundaries of the divisions.~~
8 ~~The changes shall be made to keep the divisions as nearly~~
9 ~~equal in area and population as may be practicable. The~~
10 ~~changes shall be shown on the minutes of the board.~~

11 *SEC. 8. Section 21065 is added to the Water Code, to*
12 *read:*

13 *21065. (a) Notwithstanding any other provision of*
14 *law, subdivision (b) applies to districts in which directors*
15 *are elected by divisions.*

16 *(b) The board of directors shall, by resolution, adjust*
17 *the boundaries of any divisions pursuant to Chapter 8*
18 *(commencing with Section 22000) of Division 21 of the*
19 *Elections Code.*

20 *SEC. 9. Section 30733 of the Water Code is amended*
21 *to read:*

22 *30733. If the question submitted to the voters of the*
23 *district pursuant to this article provides for the election*
24 *of directors by divisions and is approved by a majority of*
25 *the voters voting on the question, then:*

26 *(a) The board shall promptly by resolution divide the*
27 *district into five divisions as nearly equal in population as*
28 *practicable and assign a number to each division.*

29 *(b) The board shall, not less than 85 days prior to the*
30 *general district election next after the election approving*
31 *the election of directors by division, by resolution*
32 *designate which divisions shall elect directors at that*
33 *election to succeed the directors whose terms then*
34 *expire. The remaining divisions shall elect directors at the*
35 *general district election next following that election.*

36 ~~(c) The board may, at any time after initially dividing~~
37 ~~the district into divisions but not less than 85 days before~~
38 ~~a general district election, by resolution change the~~
39 ~~boundaries of the divisions to keep them as nearly equal~~
40 ~~in population as practicable. Notwithstanding any other~~

1 *provision of law, subdivision (d) applies to districts in*
2 *which directors are elected by divisions.*

3 *(d) The board of directors shall, by resolution, adjust*
4 *the boundaries of any divisions pursuant to Chapter 8*
5 *(commencing with Section 22000) of Division 21 of the*
6 *Elections Code.*

7 *SEC. 10. Section 35056 of the Water Code is amended*
8 *to read:*

9 35056. (a) After the establishment of a resident
10 voting district, the provisions set forth in Article 2
11 (commencing with Section 35025) of this chapter are no
12 longer applicable. The board of directors may at any time
13 establish divisions within the district. ~~After such divisions~~
14 ~~shall have been established, or if divisions have previously~~
15 ~~been established in the district, the board of directors~~
16 ~~shall from time to time reestablish the boundaries on the~~
17 ~~basis of equalizing as nearly as practicable the number of~~
18 ~~registered voters in each division. The creation or~~
19 ~~modification of divisions shall not affect the term of any~~
20 ~~director until his term shall expire.~~

21 *(b) Notwithstanding any other provision of law,*
22 *subdivision (c) applies to districts in which directors are*
23 *elected by divisions.*

24 *(c) The board of directors shall, by resolution, adjust*
25 *the boundaries of any divisions pursuant to Chapter 8*
26 *(commencing with Section 22000) of Division 21 of the*
27 *Elections Code.*

28 *SEC. 11. Section 60132 of the Water Code is repealed.*

29 ~~60132. Whenever a sufficient change in the~~
30 ~~population occurs in a district after its organization which~~
31 ~~makes it desirable in the opinion of the board of the~~
32 ~~district to relocate the boundary or boundaries of any~~
33 ~~division or divisions, or whenever any territory is added~~
34 ~~to or excluded from the district, the board shall, by~~
35 ~~resolution, relocate the boundary lines of the division or~~
36 ~~divisions so as to equalize, as nearly as may be practicable,~~
37 ~~the population in the respective divisions. For this~~
38 ~~purpose, the board may estimate the population by~~
39 ~~reference to the register of voters used at the last general~~
40 ~~election, and may relocate the boundary lines of the~~

~~1 respective divisions without regard to the places of
2 residence of the directors then in office. No such change
3 in the division lines shall be made within the four months
4 immediately preceding the election of any director nor
5 shall such change in division lines work a forfeiture of
6 office of any director. Whenever such change is made in
7 the division lines, each director then in office, and until
8 his office becomes vacant by expiration of his term or
9 otherwise, shall continue to be the director for the
10 respective division bearing the number of his division as
11 formerly located even though such director is not a
12 resident of the relocated division. His successor shall be
13 a resident and voter of the relocated division.~~

SEC. 12. Section 60132 is added to the Water Code, to read:

60132. The board of directors shall, by resolution, adjust the boundaries of any divisions pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code.

SEC. 13. Section 71540 of the Water Code is repealed.

~~71540. Whenever a sufficient change in the
population occurs in a district after its organization which
makes it desirable in the opinion of the board to relocate
the boundary or boundaries of any division or divisions,
or whenever any territory is added to or excluded from
the district, the board shall, by resolution, relocate the
boundary lines of the division or divisions so as to
equalize, as nearly as may be practicable, the population
in the respective divisions. For this purpose, the board
may relocate the boundary lines of the respective
divisions without regard to the places of residence of the
directors then in office.~~

SEC. 14. Section 71540 is added to the Water Code, to read:

71540. The board of directors shall, by resolution, adjust the boundaries of any divisions pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code.

SEC. 15. Section 71541 of the Water Code is repealed.

1 ~~71541. No change in the division boundaries shall be~~
2 ~~made within the four months immediately preceding the~~
3 ~~election of any director nor shall such change in division~~
4 ~~boundaries work a forfeiture of the office of any director.~~

5 *SEC. 16. Section 71542 of the Water Code is repealed.*

6 ~~71542. Whenever a change is made in the division~~
7 ~~boundaries, each director then in office shall, until his~~
8 ~~office becomes vacant by expiration of his term or~~
9 ~~otherwise, continue to be the director for the respective~~
10 ~~division bearing the number of his division as formerly~~
11 ~~located even though he is not a resident of the relocated~~
12 ~~division. His successor shall be a resident and voter of the~~
13 ~~relocated division.~~

14 *SEC. 17. Section 74430 of the Water Code is amended*
15 *to read:*

16 ~~74430. The board, when it deems advisable or for the~~
17 ~~best interests of the district and for the convenience of~~
18 ~~the electors thereof, may at any time, but not less than 60~~
19 ~~days before an election to be held in the district, change~~
20 ~~the boundaries of the divisions of the district. Such~~
21 ~~changes shall be made to keep each division as nearly~~
22 ~~equal in the area as may be practicable. Such changes of~~
23 ~~boundaries of the divisions shall be shown on the minutes~~
24 ~~of the board. of directors shall, by resolution, adjust the~~
25 ~~boundaries of any divisions pursuant to Chapter 8~~
26 ~~(commencing with Section 22000) of Division 21 of the~~
27 ~~Elections Code.~~

28 *SEC. 18. Section 15 of the Drainage District Act of*
29 *1903 (Chapter 238 of the Statutes of 1903) is amended to*
30 *read:*

31 ~~Sec. 15. The—~~*(a) Notwithstanding any other provision*
32 *of law, subdivision (b) applies to districts in which*
33 *directors are elected by divisions.*

34 ~~(b) The board of directors shall, when they deem it~~
35 ~~advisable for the best interests of the district and the~~
36 ~~convenience of the electors thereof, may at any time, but~~
37 ~~not less than sixty days before an election to be held in the~~
38 ~~district, change the boundaries of the divisions and~~
39 ~~election precincts of the district; provided, such changes~~
40 ~~shall be made to keep each division as nearly equal in area~~

~~1 and population as may be practicable. Such change of~~
~~2 boundaries of the division must be shown on the minutes~~
~~3 of the board. by resolution, adjust the boundaries of any~~
~~4 divisions pursuant to Chapter 8 (commencing with~~
~~5 Section 22000) of Division 21 of the Elections Code.~~

6 SEC. 19. Section 70 of the Protection District Act of
7 1907 (Chapter 25 of the Statutes of 1907) is amended to
8 read:

9 Sec. 70. ~~At~~ (a) At least 30 days before the next
10 general election of a district, the board of directors
11 thereof shall make an order dividing the district into
12 three or five divisions, as the case may require, as nearly
13 equal in size as may be practicable, which shall be
14 numbered first, second, third and so on, and one director
15 shall be elected by each division. ~~For the purposes of~~
16 ~~elections in such district, and said board of directors must~~
17 ~~establish a convenient number of election precincts, and~~
18 ~~define the boundaries thereof, which said precincts may~~
19 ~~be changed from time to time, as the board of directors~~
20 ~~may deem necessary.~~

21 (b) The board of directors shall, by resolution, adjust
22 the boundaries of any division adjusted pursuant to
23 Chapter 8 (commencing with Section 22000) of Division
24 21 of the Elections Code.

25 SEC. 20. Section 1.2 of the Orange County Water
26 District Act (Chapter 934 of the Statutes of 1933) is
27 amended to read:

28 Sec. 1.2. (a) ~~After each federal decennial census, and~~
29 ~~using population figures as validated by the Population~~
30 ~~Research Unit of the Department of Finance, the~~ The
31 board of directors shall, by resolution, adjust the
32 boundaries of the first, second, third, fourth, fifth, sixth,
33 and seventh divisions ~~so that those divisions are, as far as~~
34 ~~practicable, equal in population and represent, as far as~~
35 ~~practicable, a commonality of interest.~~

36 (b) ~~The resolution requires the vote of no less than six~~
37 ~~directors for adoption.~~

38 (c) ~~At the time of, or after, any annexation of territory~~
39 ~~to the agency, the board of directors shall designate, by~~
40 ~~resolution, the division of which the annexed territory~~

1 ~~shall be a part pursuant to Chapter 8 (commencing with~~
2 ~~Section 22000) of Division 21 of the Elections Code.~~

3 *SEC. 21. Section 1.4 of the Orange County Water*
4 *District Act (Chapter 924 of the Statutes of 1933), is*
5 *repealed.*

6 ~~Sec. 1.4. No change in the boundaries of any division~~
7 ~~may be made within the four months immediately~~
8 ~~preceeding the election of any director.~~

9 *SEC. 22. Section 1.6 of the Orange County Water*
10 *District Act (Chapter 934 of the Statutes of 1933) is*
11 *repealed.*

12 ~~Sec. 1.6. (a) A change in the boundaries of a division~~
13 ~~does not affect the term of office of any director.~~

14 ~~(b) Notwithstanding Section 11, if the boundaries of a~~
15 ~~division are adjusted, the director of the division whose~~
16 ~~boundaries have been adjusted, shall continue to be the~~
17 ~~director of the division bearing the number of his or her~~
18 ~~division as formerly comprised until the office becomes~~
19 ~~vacant by means of term expiration or otherwise,~~
20 ~~whether or not the director is a resident within the~~
21 ~~boundaries of the division as adjusted.~~

22 ~~(c) The successor to the office in a division whose~~
23 ~~boundaries have been adjusted shall be a resident of, and~~
24 ~~voter within the meaning of Section 18 of the Elections~~
25 ~~Code in, that division.~~

26 *SEC. 23. Section 7 of the Yuba County Water Agency*
27 *Act (Chapter 788 of the Statutes of 1959) is amended to*
28 *read:*

29 *Sec. 7. (a) (1) The board of directors shall consist of*
30 *seven members. The members of the board of supervisors*
31 *of the county shall be ex officio members of the board of*
32 *directors of the agency. Two members of the board of*
33 *directors shall be elected by the voters in accordance with*
34 *this section. Each elected director shall be a registered*
35 *voter, a resident of the county, and eligible to hold elected*
36 *office. One elected director shall reside north of the Yuba*
37 *River and shall be elected by the voters residing north of*
38 *the Yuba River. The other elected director shall reside*
39 *south of the Yuba River and shall be elected by voters*
40 *residing south of the Yuba River.*

1 (2) *Notwithstanding paragraph (1), the board of*
2 *directors shall, by resolution, adjust the boundaries of the*
3 *geographical areas from which the two directors are*
4 *elected to create two divisions pursuant to Chapter 8*
5 *(commencing with Section 22000) of Division 21 of the*
6 *Elections Code.*

7 (b) The term of office of the two elected directors shall
8 be four years, except that the initial terms of office shall
9 be staggered with one director, chosen by lot, serving for
10 a term of two years. The two elected directors shall
11 initially be elected at the general election held on
12 November 6, 1990, and shall take office at the first
13 meeting of the board of directors after January 1, 1991.
14 One elected director shall thereafter be elected at each
15 statewide primary election held in an even-numbered
16 year, except that if no candidate receives more than 50
17 percent of the votes cast for the office at that election, the
18 two candidates receiving the highest number of votes for
19 the office shall be on the ballot at the general election
20 held the following November. The elected directors shall
21 take office at the first meeting of the board of directors
22 after the first day of January following their election.

23 (c) Directors shall be entitled to receive from the
24 agency the sum of twenty dollars (\$20) for each meeting
25 attended, plus actual, necessary and reasonable traveling
26 expenses. The basis for compensation of the directors, and
27 the amount thereof, may be altered only by a
28 five-sevenths vote of the directors. The board of directors
29 may adopt reasonable rules and regulations to carry out
30 its powers and duties. The board of directors shall elect a
31 chairperson and vice chairperson. The chairperson shall
32 preside at all meetings of the board and in case of his or
33 her absence or inability to act, the vice chairperson shall
34 preside. In case of the absence of the chairperson and vice
35 chairperson or their inability to act, the members present
36 shall, by an order entered in the records, select a member
37 to act as temporary chairperson. Any member of the
38 board may administer oaths when necessary in the
39 performance of his or her official duties. A majority of the
40 members of the board shall constitute a quorum for the

1 transaction of business, but no act of the board shall be
2 valid or binding unless a majority of all members concur
3 therein.

4 *SEC. 24. Section 93 of the Antelope Valley-East Kern*
5 *Water Agency Act (Chapter 2146 of the Statutes of 1959)*
6 *is amended to read:*

7 ~~Sec. 93. Whenever a sufficient change in the~~
8 ~~population occurs in the agency after its organization~~
9 ~~which makes it desirable in the opinion of the board of~~
10 ~~directors of the agency to relocate the boundary or~~
11 ~~boundaries of any division or divisions, or whenever any~~
12 ~~territory is added to or excluded from the agency, the~~ *The*
13 ~~board of directors shall, by resolution, relocate the~~
14 ~~boundary lines of the division or divisions so as to~~
15 ~~equalize, as nearly as may be practicable, the population~~
16 ~~in the respective divisions. For this purpose, the board of~~
17 ~~directors may estimate the population by reference to the~~
18 ~~register of voters used at the last general election, and~~
19 ~~may relocate the boundary lines of the respective~~
20 ~~divisions without regard to the places of residence of the~~
21 ~~directors then in office. No such change in the division~~
22 ~~lines shall be made within the four months immediately~~
23 ~~preceding the election of any director nor shall such~~
24 ~~change in division lines work a forfeiture of office of any~~
25 ~~director. Whenever such change is made in the division~~
26 ~~lines, each director then in office, and until his office~~
27 ~~becomes vacant by expiration of his office becomes~~
28 ~~vacant by expiration of his term or otherwise, shall~~
29 ~~continue to be the director for the respective division~~
30 ~~bearing the number of his division as formerly located~~
31 ~~even though such director is not a resident of the~~
32 ~~relocated division. His successor shall be a resident and~~
33 ~~voter of the relocated division~~ *adjust the boundaries of*
34 *any divisions pursuant to Chapter 8 (commencing with*
35 *Section 22000) of Division 21 of the Elections Code.*

36 *SEC. 25. Section 3.2 of the Mojave Water Agency Law*
37 *(Chapter 2146 of the Statutes of 1959) is amended to read:*

38 ~~Sec. 3.2. (a) After each federal decennial census, and~~
39 ~~using population figures as validated by the Population~~
40 ~~Research Unit of the Department of Finance, the~~ *The*

1 board of directors shall, by resolution, adjust—~~the~~
2 ~~boundaries of any divisions so that the divisions are, as far~~
3 ~~as practicable, equal in population and represent, as far~~
4 ~~as practicable, a commonality of interest.~~

5 ~~(b) The resolution requires the vote of not less than~~
6 ~~four directors of adoption.~~

7 ~~(c) At the time of, or after, any annexation of territory~~
8 ~~to the agency, the board of directors shall designate, by~~
9 ~~resolution, the division of which the annexed territory~~
10 ~~shall be a part.~~

11 ~~(d) No change in division boundaries may be made~~
12 ~~within four months preceding the election of any~~
13 ~~director.~~

14 ~~(e) (1) A change in division boundaries does not~~
15 ~~affect the term of office of any director.~~

16 ~~(2) If division boundaries are adjusted, the director of~~
17 ~~the division whose boundaries have been adjusted, shall~~
18 ~~continue to be the director of the division bearing the~~
19 ~~number of his or her division as formerly comprised until~~
20 ~~the office becomes vacant by means of term expiration or~~
21 ~~otherwise, whether or not the director is a resident within~~
22 ~~the boundaries of the division as adjusted.~~

23 ~~(f) The successor to the office in a division whose~~
24 ~~boundaries have been adjusted shall be a resident and~~
25 ~~voter of that division the boundaries of any divisions~~
26 ~~pursuant to Chapter 8 (commencing with Section 22000)~~
27 ~~of Division 21 of the Elections Code.~~

28 *SEC. 26. Section 4 of the San Geronio Pass Water*
29 *Agency Law (Chapter 1435 of the Statutes of 1961) is*
30 *amended to read:*

31 *Sec. 4. Whenever a sufficient change in the area of an*
32 *agency occurs which makes it desirable in the opinion of*
33 *the board of directors of the agency to relocate the*
34 *boundaries of any division or divisions, the The board of*
35 *directors shall, by resolution, relocate the boundary lines*
36 *of the division or divisions so as to equalize as nearly as*
37 *may be practicable the area in the respective divisions. At*
38 *the time of or after each annexation of territory to the*
39 *agency the board of directors shall designated by*
40 *resolution the division of which such annexed territory*

1 ~~shall be a part. No change in division lines shall be made~~
2 ~~within four (4) months next preceding the election of any~~
3 ~~divisional director nor shall such change in division lines~~
4 ~~work a forfeiture of the office of any director. Whenever~~
5 ~~such change is made in the division lines, each divisional~~
6 ~~director then in office, until his office becomes vacant by~~
7 ~~expiration of his term, or otherwise, shall continue to be~~
8 ~~the director for the division bearing the number of his~~
9 ~~division as formerly located, even though such divisional~~
10 ~~director is not a resident or owner of real property within~~
11 ~~the relocated division adjust the boundaries of any~~
12 ~~divisions pursuant to Chapter 8 (commencing with~~
13 ~~Section 22000) of Division 21 of the Elections Code.~~

14 SEC. 27. Section 42 of the Crestline-Lake Arrowhead
15 Water Agency Act (Chapter 40 of the 1962 First
16 Extraordinary Session) is amended to read:

17 Sec. 42. ~~Whenever a sufficient change in the~~
18 ~~population occurs in the agency after its organization~~
19 ~~which makes it desirable in the opinion of the board of~~
20 ~~directors of the agency to relocate the boundary or~~
21 ~~boundaries of any division or divisions, or whenever any~~
22 ~~territory is added to or excluded from the agency, the The~~
23 ~~board of directors shall, by resolution, relocate the~~
24 ~~boundary lines of the division or divisions so as to~~
25 ~~equalize, as nearly as may be practicable, the population~~
26 ~~in the respective divisions. For this purpose, the board of~~
27 ~~directors may estimate the population by reference to the~~
28 ~~register of voters used at the last general election, and~~
29 ~~may relocate the boundary line of the respective divisions~~
30 ~~without regard to the places of residence of the directors~~
31 ~~then in office. No such change in the division lines shall~~
32 ~~be made within the four months immediately preceding~~
33 ~~the election of any director nor shall such change in~~
34 ~~division lines work a forfeiture of office of any director.~~
35 ~~Whenever such change is made in the division lines, each~~
36 ~~director then in office, and until his office becomes vacant~~
37 ~~by expiration of his term or otherwise, shall continue to~~
38 ~~be the director for the respective division bearing the~~
39 ~~number of his division as formerly located even though~~
40 ~~such director is not a resident of the relocated division.~~

~~His successor shall be a resident and voter of the relocated division adjust the boundaries of any divisions pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code.~~

SEC. 28. Section 222 of the Monterey Peninsula Water Management District Act (Chapter 527 of the Statutes of 1977) is amended to read:

Sec. 222. (a) After the adoption of the resolution by the board to establish resident voting divisions ~~on the basis of equalizing as nearly as practicable the number of registered voters in each division. The board shall from time to time reestablish such boundaries on such basis. The creation or modification of divisions shall not affect the term of any director until his term shall expire in the district, the board of directors shall establish the boundaries of the divisions.~~

(b) The board of directors shall, by resolution, adjust the boundaries of any divisions pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code.

SEC. 29. Section 220 of the Stanislaus County Flood Control Enabling Act (Chapter 421 of the Statutes of 1981) is amended to read:

Sec. 220. Under the provisions of this article, the local district, whether it is a landowner voter district or a resident voter district, shall be divided into five divisions; ~~each of which shall contain as nearly as practicable, an equal number of registered voters.~~

SEC. 30. Section 223 is added to the Stanislaus County Flood Control Enabling Act (Chapter 421 of the Statutes of 1981), to read:

Sec. 223. (a) Subdivision (b) applies to local districts in which directors are elected by divisions.

(b) The board of directors shall, by resolution, adjust the boundaries of any divisions pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code.

SEC. 31. Section 406 of the Pajaro Valley Water Management Agency Act (Chapter 257 of the Statutes of 1984) is amended to read:

1 Sec. 406. (a) After the adoption of the resolution by
2 the board to establish divisions in the agency, the board
3 of directors shall establish the boundaries of the divisions
4 ~~on the basis of equalizing as nearly as practicable the~~
5 ~~number of registered voters in each division. The board~~
6 ~~shall from time to time reestablish the boundaries on that~~
7 ~~basis. The creation or modification of divisions does not~~
8 ~~affect the term of any director until his or her term~~
9 ~~expires.~~

10 (b) *The board of directors shall, by resolution, adjust*
11 *the boundaries of any divisions pursuant to Chapter 8*
12 *(commencing with Section 22000) of Division 21 of the*
13 *Elections Code.*

14 SEC. 32. *No reimbursement is required by this act*
15 *pursuant to Section 6 of Article XIII B of the California*
16 *Constitution because the local agency or school district*
17 *has the authority to levy service charges, fees, or*
18 *assessments sufficient to pay for the program or level of*
19 *service mandated by this act. Notwithstanding Section*
20 *17580 of the Government Code, unless otherwise*
21 *specified in this act, the provisions of this act shall become*
22 *operative on the same date that the act takes effect*
23 *pursuant to the California Constitution.*

24 ~~declares that in order to permit cities and counties to~~
25 ~~preserve development applications that are about to~~
26 ~~expire and that cannot presently be processed due to~~
27 ~~prevailing adverse economic conditions in the~~
28 ~~construction industry, it is necessary that the Legislature~~
29 ~~consider extending the expiration date of existing~~
30 ~~tentative subdivision maps.~~